

# In search of the perfect citizen? : the intersection between integration, immigration and nationality in the EU

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## **~ STELLINGEN / PROPOSITIONS ~**

1. Integration measures and conditions (inside and abroad) set by EU immigration law and the EU Framework on Integration contribute to social exclusion and insecurity. They are tools of a restrictive immigration policy which promotes national identity and limits the Europeanization processes over human mobility and social inclusion.
2. The EU Framework on Integration should not provide a supranational forum prioritizing certain Member States' immigration public philosophies, policies and laws on integration through the exchange of information and benchmarking techniques.
3. Spain is 'doing better' than France in the use of integration within its national legal system. In Spain, integration of TCNs is mainly understood as a social issue, and in France as a norm restricting their security of residence and family reunification.
4. Conditions such as 'sufficient degree of integration' (Spain) or 'assimilation' (France) in nationality law should be in conformity with the general principles of EU law.
5. The general principles of EU law offer great potentials at times of limiting Member States' discretion and margin of appreciation when implementing EU immigration law and applying restrictions to EU rights and freedoms of TCNs.
6. Integration should be detached from immigration law/policy and (in)security policy, as well as from the competence of the national Ministries on Justice and Home Affairs and the DG JFS of the European Commission.
7. The ECJ should take a robust approach to promote the classical understandings of integration in EU law and policy at times of applying the proportionality test to Member States derogations' to European standards.
8. The balance metaphor in the AFSJ creates a critical tension between the security and liberty of the individual and the security of the State and the EU.
9. The Treaty of Lisbon would offer improved legal and institutional configurations facilitating the achievement of better AFSJ-related policies.
10. EU normative responses and practices in the field of security (e.g. anti-terrorism and surveillance technologies) should be tested against the general principles of EU law and their human implications (fundamental rights and liberty).
11. Sarkozy and Zapatero should sign a bilateral agreement to promote at EU level the eating of paella *and* camembert as fundamental values of European identity and 'way of life' in the future EU concept of integration to which all TCNs *and* EU nationals would need to adhere.